

6795.460

APPENDIX C

Bofe

WEA000-08/17 (12/03)

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL FOR FY 2004		Complete if Known			
Effective 01/01/2003. Patent fees are subject to annual revision.		Application Number	09/526,366		
		Filing Date	03/16/2000		
		First Named Inventor	Katsuhisa Itoh		
		Group Art Unit	2828		
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Examiner Name	Rodriguez, Armand		
Total Amount of Payment	(\$)	Attorney Docket Number	10110-2		
		Certificate			
METHOD OF PAYMENT		FEE CALCULATION (continued)			
<input type="checkbox"/> Check <input checked="" type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None		3. ADDITIONAL FEES			
<input checked="" type="checkbox"/> Deposit Account		of Correction Fee Paid			
Deposit Account Number: 23-3030					
Deposit Account Name: Woodward, Emhardt, Moriarty, McNett & Henry LLP					
The Commissioner is authorized to: (check all that apply)					
<input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments					
<input type="checkbox"/> Charge any additional fee(s) during the pendency of this application, excluding the payment of issue fees					
<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.					
1. BASIC FILING FEE					
Large Entity Fee Code	Entity Fee (\$)	Small Entity Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility Filing Fee	
1002	340	2002	170	Design Filing Fee	
1003	530	2003	265	Plant Filing Fee	
1004	770	2004	385	Reissue Filing Fee	
1005	160	2005	80	Provisional Filing Fee	
SUBTOTAL (1) (\$)					
2. EXTRA CLAIM FEES					
Total Claims	-20** =	Extra Claims	Fee From Below	X	Fee Paid
Independent Claims	-3** =			X	
Multiple Dependent					
Large Entity Fee Code	Fee (\$)	Small Entity Fee Code	Fee (\$)	Fee Description	
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	**Reissue independent claims over original patent	
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2) (\$)					
*or number previously paid, if greater. For Reissues, see above					
SUBMITTED BY		Registration No.		Telephone	
Name (Print/Type)		29,596		(317) 634-3456	
Signature		Katsuhisa Itoh		Date	
				Aug. 12, 2004	
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.					
If you need any assistance in completing this form, call 1-800-PTO-8199 and select option 2.					

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PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

Mail Stop ISSUE FEE
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 or Fax (703) 746-4000

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

7590

05/12/2004

Vincent O Wagner Esq
 Woodard Emhardt Naughton Moriarty & McNett
 Bank One Center/Tower
 111 Monument Circle Suite 3700
 Indianapolis, IN 46204-5137

Note: A certificate of mailing can only be used for domestic mailings of Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

Vincent O. Wagner (Depositor's name)
 August 12, 2004 (Date)
 (Signature)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/526,366	03/16/2000	Katsuhisa Itoh	10110-2	2444

TITLE OF INVENTION: LASER DEVICE AND AN OPTICAL SIGNAL AMPLIFIER USING THEREOF

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1330	\$0	\$1330	08/12/2004

EXAMINER	ART UNIT	CLASS-SUBCLASS
RODRIGUEZ, ARMANDO	2828	372-034000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 WOODARD, EMHARDT, MORIARTY
 MCNETT & HENRY LLP
 2 PATENT AND TRADEMARK ATTORNEYS
 BANK ONE CENTER TOWER
 3 111 MONUMENT CIRCLE, SUITE 3700
 INDIANAPOLIS, INDIANA 46204-5137

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent); ☐ individual ☒ corporation or other private group entity ☐ government

4a. The following fee(s) are enclosed:

4b. Payment of Fee(s):

☒ Issue Fee☐ A check in the amount of the fee(s) is enclosed.☐ Publication Fee☒ Payment by credit card. Form PTO-2038 is attached.☐ Advance Order - # of Copies _____☒ The Director is hereby authorized by charge the required fee(s), or credit any overpayment Deposit Account Number 23-3036 (enclose an extra copy of this form).

Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature)

(Date)

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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Complete and send this form, together with applicable fee(s), to: **Mail**

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (703) 746-4000

NOV 26 2004

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

7590

05/12/2004

Vincent O Wagner Esq
Woodard Emhardt Naughton Moriarty & McNett
Bank One Center/Tower
111 Monument Circle Suite 3700
Indianapolis, IN 46204-5137

Note: A certificate of mailing can only be used for domestic mailings of Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

Vincent O. Wagner	(Depositor's name)
	(Signature)
August 12, 2004	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/526,366	03/16/2000	Katsuhisa Itoh	10110-2	2444

TITLE OF INVENTION: LASER DEVICE AND AN OPTICAL SIGNAL AMPLIFIER USING THEREOF

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1330	\$0	\$1330	08/12/2004

EXAMINER	ART UNIT	CLASS-SUBCLASS
RODRIGUEZ, ARMANDO	2828	372-034000

Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

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- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

- WOODARD, EMHARDT, MORIARTY, MCNETT & HENRY LLP
- PATENT AND TRADEMARK ATTORNEYS
BANK ONE CENTER TOWER
- 111 MONUMENT CIRCLE, SUITE 3700
INDIANAPOLIS, INDIANA 46204-5137

ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

PLEASE check the appropriate assignee category or categories (will not be printed on the patent); ☐ individual ☒ corporation or other private group entity ☐ government

The following fee(s) are enclosed:

☒ Issue Fee

☐ Publication Fee

☐ Advance Order - # of Copies _____

4b. Payment of Fee(s):

☐ A check in the amount of the fee(s) is enclosed.

☒ Payment by credit card. Form PTO-2038 is attached.

☒ The Director is hereby authorized to charge the required fee(s), or credit any overpayment Deposit Account Number 23-3036 (enclose an extra copy of this form).

The Commissioner for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

Authorized Signature)

Vincent O. Wagner (Date) 8/12/04

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 422 and 37 CFR 1.174. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

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UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

NOV 26 2004

NOTICE OF ALLOWANCE AND FEE(S) DUE

Vincent O Wagner Esq
Woodard Emhardt Naughton Moriarty & McNett
Bank One Center/Tower
111 Monument Circle Suite 3700
Indianapolis, IN 46204-5137

05/12/2004

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Woodard, Emhardt, Moriarty
McNett & Henry LLP

EXAMINER

RODRIGUEZ, ARMANDO

ART UNIT

PAPER NUMBER

2828

DATE MAILED: 05/12/2004

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/526,366	03/16/2000	Katsuhisa Itoh	10110-2	2444

TITLE OF INVENTION: LASER DEVICE AND AN OPTICAL SIGNAL AMPLIFIER USING THEREOF

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1330	\$0	\$1330	08/12/2004

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHT. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPO PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THE STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above

If the SMALL ENTITY is shown as YES, review your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status is changed, pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above and notify the United States Patent and Trademark Office of the change in status, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check the box below and enclose the PUBLICATION FEE and 1/2 the ISSUE FEE shown above.

☐ Applicant claims SMALL ENTITY status.
See 37 CFR 1.27.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issued on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is the patentee's responsibility to ensure timely payment of maintenance fees when due.

WOODARD, EMHARDT, MORIARTY, McNETT & HENRY LLP

cafe

C. DAVID EMHARDT
JACK V. MORIARTY
JOHN C. McNETT
THOMAS O. HENRY
JAMES M. DURLACHER
CHARLES R. REEVES
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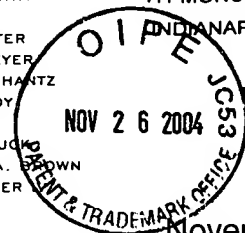
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OF COUNSEL

CHARLES P. JACOBS
(1837-1892)
VIRGIL H. LOCKWOOD
(1860-1932)
RALPH G. LOCKWOOD
(1890-1957)
HAROLD R. WOODARD
(1911-2003)



November 23, 2004

ATTN: Certificate of Correction Branch
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Re: Request for Certificate of Correction of Patent (37 CFR § 1.322)
U.S. Patent No. 6,795,460; Application Serial No. 09/526,366;
Filed March 16, 2000
LASER DEVICE AND AN OPTICAL SIGNAL AMPLIFIER USING THEREOF
Our Reference: 10110-2

Dear Sir:

A Certificate of Correction of the above-identified patent is respectfully requested to correct certain errors of a clerical or typographical nature or of minor character which appear in the patent as issued.

The exact locations where the errors occur and the necessary corrections are indicated on the attached form PTO/SB/44 (10-96), which form as prepared is suitable for printing. It is believed that the errors as set out were made on the part of the Patent and Trademark Office.

Pursuant to the Manual of Patent Examining Procedure §1480.01 and 37 C.F.R. §1.322, the Applicant is entitled to an expedited issuance of a Certificate of Correction. Evidence is submitted to show that the mistake by the Office is clearly disclosed in the records of the Office. Applicant's claim for foreign priority was acknowledged by the Patent Office, as shown by the Office Action dated September 30, 2002, included as Appendix A to this letter. Certified copies of the foreign priority applications were sent to the Patent Office on August 6, 2004, as evidenced by the transmittal papers included as Appendix B to this letter. A copy of the return receipt postcard, included in Appendix B, shows that the Patent and Trademark Office received the transmitted priority documents on August 10, 2004. The issue fee was paid on August 12, 2004, as evidenced by the Fee Transmittal filed on August 12, 2004, included as Appendix C to this letter. Because the certified copies of the foreign priority applications were filed before the issue fee was paid, the Patent Office should have included the priority claim on the patent.

DEC 06 2004

This is not a situation that would have required Applicant to file for a Certificate of Correction under 37 C.F.R. §1.55(a)(2) because the certified copies of the foreign priority applications were filed before payment of the issue fee was made. Therefore, it is believed that no fee is necessary with this filing. However, if any fees are required in order to complete the Certificate of Correction, please charge them to Deposit Account No. 23-3030.

Please send the Certificate to Woodard, Emhardt, Moriarty, McNett & Henry LLP, Bank One Center/Tower, 111 Monument Circle, Suite 3700, Indianapolis, Indiana 46204. A duplicate of the completed form PTO/SB/44 (10-96) is attached.

Respectfully Submitted,



Vincent O. Wagner
Reg. No. 29,596
Woodard, Emhardt, Moriarty,
McNett & Henry LLP
Bank One Center/Tower
111 Monument Circle, Suite 3700
Indianapolis, Indiana 46204-5137

Enclosures
010110-000002.CB.306502

UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

PATENT NO. : 6,795,460 **B1**
DATED : September 21, 2004
INVENTOR(S) : Itoh

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the front page of the patent please add:

--Foreign Application Priority Data--

-- March 17, 1999	[JP]	Japan	JP 11-71677--
-- March 17, 1999	[JP]	Japan	JP 11-71678--
-- May 25, 1999	[JP]	Japan	JP 11-144332--
-- May 27, 1999	[JP]	Japan	JP 11-147812--

MAILING ADDRESS OF SENDER:

PATENT NO. 6,795,460 **B1**

No. of additional copies



This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

DEC 06 2004

UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

PATENT NO. : 6,795,460 **Bi**
DATED : September 21, 2004
INVENTOR(S) : Itoh

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the front page of the patent please add:

--Foreign Application Priority Data--

-- March 17, 1999	[JP]	Japan	JP 11-71677--
-- March 17, 1999	[JP]	Japan	JP 11-71678--
-- May 25, 1999	[JP]	Japan	JP 11-144332--
-- May 27, 1999	[JP]	Japan	JP 11-147812--

MAILING ADDRESS OF SENDER:

PATENT NO. 6,795,460 **Bi**

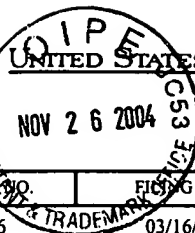
No. of additional copies



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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/526,366	03/16/2000	Katsuhisa Itoh	10110-2	2444

7590

09/30/2002

Vincent O Wagner Esq
Woodard Emhardt Naughton Moriarty & McNett
Bank One Center/Tower
111 Monument Circle Suite 3700
Indianapolis, IN 46204-5137

EXAMINER

RODRIGUEZ, ARMANDO

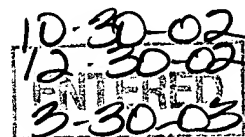
ART UNIT

PAPER NUMBER

2828

DATE MAILED: 09/30/2002

Please find below and/or attached an Office communication concerning this application or proceeding.



RECEIVED

OCT 07 2002

Woodard, Emhardt, Naughton,
Moriarty & McNett



Office Action Summary

Application No.

09/526,366

Applicant(s)

ITOH, KATSUHISA

Examiner

Armando Rodriguez

Art Unit

2828

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.


- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.


PAUL IP
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3. 6) ☐ Other: ____

DETAILED ACTION

Priority

Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Japan on March 17, 1999, May 25, 1999 and May 27, 1999. It is noted, however, that applicant has not filed a certified copy of the 11-71677, 11-71678, 11-144332 and 11-147812 application as required by 35 U.S.C. 119(b).

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is unclear within the claim language of independent claims 1,6,7 and 12 as to what applicant means by a pumping light reflection portion and its structural relation with the pumping light recited in the preamble.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Art Unit: 2828

1-8 and
 Claims ~~8~~, 10-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Hughes (PN 5.0550.173).

In figure 2 Hughes illustrates a laser system having a fiber bundle with a doped core of Nd, which receives an excitation light from laser diode array (12) and a mirror (13) for reflecting a portion of the laser beam back to fibers and outputting a portion of the beam.

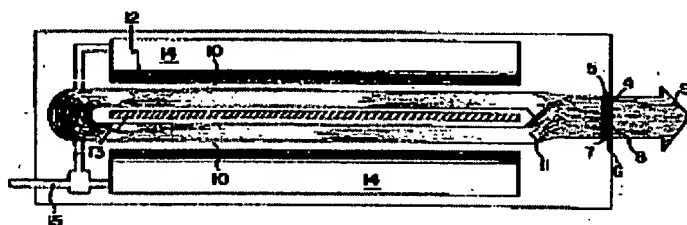


FIG. 2

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hughes (PN 5.0550.173) in view of Kafka (PN 3,639,672).

In figure 2 Hughes illustrates a laser system having a fiber bundle with a doped core of Nd, which receives an excitation light from laser diode array (12) and a mirror

Art Unit: 2828

(13) for reflecting a portion of the laser beam back to fibers and outputting a portion of the beam.

Hughes does not disclose using a cooling medium within the bundle of fibers to cool the fibers.

In the abstract and in column 4 lines 35-40 Kafka teaches using a cooling medium within the bundle of electrical conductors made of glass fiber to maintain a low temperature.

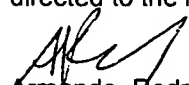
Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to use a cooling medium within the fiber bundle of Hughes because it would maintain the fibers at a low temperature.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Armando Rodriguez whose telephone number is (703) 308-6218. The examiner can normally be reached on 10-hour day / M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Ip can be reached on (703) 308-3098. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7721 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-4881.


Armando Rodriguez
Examiner
Art Unit 2828


Paul Ip
Supervisor
Art Unit 2828

AR/PI
September 23, 2002

**Notice of References Cited**

Application/Control No.

09/526,366

Applicant(s)/Patent Under
Reexamination
ITOH, KATSUHISA

Examiner

Armando Rodriguez

Art Unit

2828

Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-5050173	09-1991	Hughes	372-6
	B	US-3639672	02-1972	Kalfa	174-15C
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.



010110-000002.VOW.294966/////nkg//WEMMH/SB/21 (4/03)

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number	09/526,366	
Filing Date	March 16, 2000	
First Named Inventor	Katsuhisa Itoh	
Group Art Unit	2828	
Examiner Name	Armando Rodriguez	
Total Number of Pages in this Submission	Attorney Docket Number	010110-000002

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> To Convert a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Additional Enclosure (please identify below)
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Small Entity Statement	<input checked="" type="checkbox"/> Return Receipt Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Corrected Filing Receipt	
<input checked="" type="checkbox"/> Certified Copy of Priority Documents; Transmittal of Priority Document	Remarks: Attaching Japanese priority documents: patent application numbers 11-71677 filed March 17, 1999, 11-71678 filed March 17, 1999, 11-144332 filed May 25, 1999 and 11-147812 filed May 27, 1999.	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	Vincent O. Wagner
Signature	
Date	MAY 6, 2004

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date:			
Typed or printed name	Vincent O. Wagner		
Signature		Date	MAY 6, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Katsuhisa Itoh

Serial No. 09/526,366

Filed March 16, 2000

A LASER DEVICE AND AN OPTICAL
SIGNAL AMPLIFIER USING THEREOF



Before the Examiner
Armando Rodriguez

Group Art Unit 2828

TRANSMITTAL OF PRIORITY DOCUMENTS

Assistant Commissioner for Patents
P.O. Box 1450
Washington, D.C. 20231-1450

Sir:

Applicant encloses herewith a certified copy of the following priority documents:

Japanese patent application numbers 11-71677 filed March 17, 1999, 11-71678 filed
March 17, 1999, 11-144332 filed May 25, 1999 and 11-147812 filed May 27, 1999.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:	
<u>AUG 6, 2004</u>	Date of Deposit
<u>Vincent O. Wagner</u>	Vincent O. Wagner
<u>Name of Registered Representative</u>	
<u>[Signature]</u>	Signature
<u>AUG 6, 2004</u>	Date of Signature

Respectfully submitted,

By: [Signature]

Vincent O. Wagner
Reg. No. 29,596
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日本国特許庁
JAPAN PATENT OFFICE

別紙添付の書類に記載されている事項は下記の出願書類に記載されている事項と同一であることを証明する。

This is to certify that the annexed is a true copy of the following application as filed with this Office.

出願年月日
Date of Application:

1999年 5月27日

出願番号
Application Number:

平成11年特許願第147812号

ST. 10/C]:

[JP 1999-147812]

願人
Applicant(s):

浜松ホトニクス株式会社

2004年 7月28日

特許庁長官
Commissioner,
Japan Patent Office

小川 洋



日本国特許庁
JAPAN PATENT OFFICE

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This is to certify that the annexed is a true copy of the following application as filed with this Office.

出願年月日
Date of Application: 1999年 5月25日

出願番号
Application Number: 平成11年特許願第144332号
[ST. 10/C]: [JP1999-144332]

出願人
Applicant(s): HOYA株式会社

2004年 7月30日

特許庁長官
Commissioner,
Japan Patent Office

小川



日本国特許庁
JAPAN PATENT OFFICE

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This is to certify that the annexed is a true copy of the following application as filed with this Office.

出願年月日 1999年 3月17日
Date of Application:

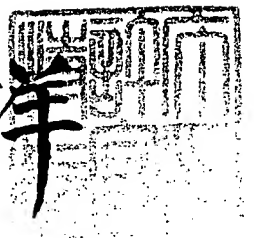
出願番号 平成11年特許願第071678号
Application Number:
[ST. 10/C]: [JP1999-071678]

出願人 浜松ホトニクス株式会社
Applicant(s):

2004年 7月30日

特許庁長官
Commissioner,
Japan Patent Office

小川 洋



日 本 国 特 許 庁
JAPAN PATENT OFFICE

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This is to certify that the annexed is a true copy of the following application as filed with this Office.

出 願 年 月 日 1 9 9 9 年 3 月 1 7 日
Date of Application:

出 願 番 号 平成 1 1 年 特 許 願 第 0 7 1 6 7 7 号
Application Number:
[ST. 10/C]: [J P 1 9 9 9 - 0 7 1 6 7 7]

出 願 人 浜松ホトニクス株式会社
Applicant(s):

2 0 0 4 年 7 月 3 0 日

特許庁長官
Commissioner,
Japan Patent Office

小 川 洋





Matter No./Case No. 10110-20IPE Initials/Date: VOW/abg
3-6-04

AUG 10 2004

☒ Patent () Trademark () Copyright () Application # _____ of pages
() Check for \$ _____

Serial No. 09/526,366 () # _____ sheets of drawings

Applicant Itoh
A. Lopez de la Cruz, Jr. and
Optical Signal Amplifier
Using Thereof

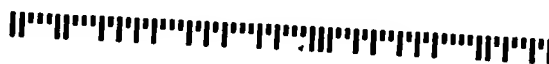
() Transmittal of Priority
documents

☒ Return Receipt Postcard

() Declaration & Power of Attorney
() Assignment & Recordation cover sheet
() Information Disclosure Statement
☒ Transmittal Form /PTO Form _____
() Fee Transmittal /PTO Form _____
() Amendment/ Response to Office Action
() Request for Extension of Time
() Statement of Use

☒ Specimens # 4 priority documents
certified copies

RECEIPT OF THE ATTACHED IS HEREBY ACKNOWLEDGED



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111 MONUMENT CIR STE 3700
PO BOX 44957
INDIANAPOLIS, IN 46244-0957

